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DATE: MARCH 2, 2007

FACSIMILE TRANSMITTAL SHEET

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| FROM: | PHONE NUMBER: | EMAIL: | BILLING NUMBER: |
| John P. Blasko | (609) 895-6639 | jblasko@foxrothschild.com | |
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| 6 | 05794.00002 | RUSH | |

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☒ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ FOR YOUR INFORMATION

NOTES/COMMENTS

U.S. Patent Serial No. 10/551,569; McGuigan Christopher et al.; for "Heterocyclic Compounds For use in the Treatment of Viral Infections"

1. Transmittal Form (1 page)
2. Response to Notification of Defective Response (2 pages)
3. Copy of Notification of Defective Response (2 pages)

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PTO/SB/21 (09-04)

Approved for use through 07/31/2008 OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 10/551,569

Filing Date I.A. Filing Date: April 4, 2004

First Named Inventor McGuigan Christopher

Art Unit Unknown

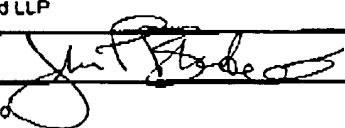
Examiner Name Unknown

Attorney Docket Number 05794.00002

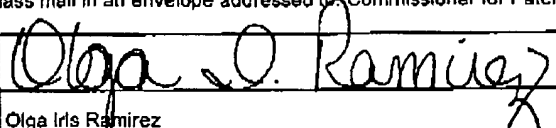
ENCLOSURES (Check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
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| <input type="checkbox"/> Affidavit(s)/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
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| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Reply to Missing Parts/Incomplete Application | <input type="checkbox"/> Landscape Table on CD | |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | Remarks | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|---|----------|--------|
| Firm Name | Fox Rothschild LLP | | |
| Signature |  | | |
| Printed name | John P. Blasko | | |
| Date | March 2, 2007 | Reg. No. | 31,149 |

CERTIFICATE OF TRANSMISSION/MAILING

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| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: | | | |
| Signature |  | | |
| Typed or printed name | Olga I. Ramirez | Date | March 2, 2007 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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| JOHN P. BLUSICK Printed Name | <i>[Signature]</i> 3/2/07 Signature Date |

Attorney Docket No. 05794.00002

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. National Phase Application of
PCT/GB2004/001687First Named Inventor
McGuigan, Christopher

Application Serial No.: 10/551,569

I.A. Filing Date: April 4, 2004

For: HETEROCYCLIC COMPOUNDS FOR USE IN
THE TREATMENT OF VIRAL INFECTIONSGroup Art Unit:
UnknownExaminer:
Unknown

X

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Commissioner for Patents
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Alexandria, VA 22313-1450

CLARIFICATION IN RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Sir:

This response is being filed, via facsimile, in response to the Notification of Defective Response mailed February 2, 2007. In the Notification, the PTO requested clarification as to why the 3rd inventor's name is spelled differently on the declaration than on the international application.

In response to a Notification of Missing Requirements mailed August 2, 2006, Applicants filed a fully executed declaration of the inventors on October 13, 2006. The declaration is signed by all three actual inventors identified on the Application Data Sheet filed on September 30, 2005, namely, Christopher McGuigan, Jan Balzarini and Erik de Clercq. However, a clerical

Appl. No. 10/551,569
Response to Notification mailed February 2, 2007

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typographical error with respect to the family name of the third-named inventor in the document, i.e., "de Clercq" was typed in as "de Clerq" (omitting the letter "c") on the declaration form. The signature on the declaration is the signature of the actual inventor Erik de Clercq and therefore complies with 35 U.S.C. 115. There is no change of inventive entity from the one identified in the International Application and on the Application Data Sheet. Accordingly, Applicants respectfully submit that all of the requirements for acceptance under 35 U.S.C. 371 have been met, namely, a declaration signed by the actual inventors has been filed. Issuance of a Notification of Acceptance and early examination of the application are respectfully requested. Should the PTO desire a supplemental declaration, please contact the undersigned.

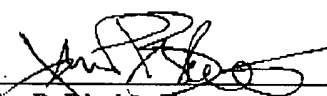
CONCLUSION

Applicant believes that Applicant has fully responded to the PTO's concerns. Applicant requests that any questions concerning this matter be directed to the undersigned at (609) 895-6639.

Please charge any deficiency and/or credit any overpayment to Deposit Account No. 50-1943. Thank you for your kind consideration in this matter.

Respectfully submitted,

Date: March 2, 2007


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| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/551,569 | McGuigan Christopher | 05794.00002 |

| INTERNATIONAL APPLICATION NO. |
|-------------------------------|
|-------------------------------|

PCT/GB04/01687

| I.A. FILING DATE | PRIORITY DATE |
|------------------|---------------|
|------------------|---------------|

04/21/2004

04/25/2003

29880

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LAWRENCEVILLE, NJ 08648

CONFIRMATION NO. 3842

371 FORMALITIES LETTER



OC000000022290836

Date Mailed: 02/02/2007

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 09/30/2005
- Copy of the International Search Report filed on 09/30/2005
- Preliminary Amendments filed on 09/30/2005
- Information Disclosure Statements filed on 12/28/2005
- Oath or Declaration filed on 10/13/2006
- U.S. Basic National Fees filed on 09/30/2005
- Priority Documents filed on 09/30/2005

Applicant's response filed 10/13/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 08/02/2006 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and International filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - The 3rd inventor's name is spelled differently on the declaration than on the international application. Please clarify.

Applicant is required to complete the response within a time limit of **ONE MONTH** from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed

to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
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If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

PART 2 - OFFICE COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/5: 1,569 | PCT/GB04/01687 | 05794.00002 |

FORM PCT/DO/EO/916 (371 Formalities Notice)